

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
SLISHMAN, SAMUEL )  
 ) Art Unit: 3763  
SERIAL NUMBER: DIVISIONAL OF )  
APPLICATION SERIAL NUMBER 09/541,023 )  
 ) Examiner: MENDEZ  
FILED: CONCURRENTLY )  
 )  
FOR: PER KILO DOSER ) Docket No. UNME-0118-1

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Prior to an examination on the merits, please amend the above-captioned application as follows:

**IN THE CLAIMS**

Please cancel claims 8-27, without prejudice or disclaimer.

Claims 1-7 are pending as indicated below:

1. A syringe comprising a syringe barrel having a plurality of non-volumetric measuring indicia thereon.
2. The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia comprise numeric indicia.
3. The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia comprise a plurality of color indicia.
4. The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia comprise a plurality of weight indicia.

5. The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia comprise a plurality of age indicia.
6. The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia comprise a plurality of height indicia.
7. The syringe of claim 1, further comprising a means for adjusting the location of said plurality of non-volumetric measuring indicia with respect to said syringe barrel.

Please add new claims 28-47 as indicated below:

28. (New) The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia reflect a linear relationship between said plurality of non-volumetric measuring indicia and a fluid dosage to be dispensed.
29. (New) The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia reflect a non-linear relationship between said plurality of non-volumetric measuring indicia and a fluid dosage to be dispensed.
30. (New) The syringe of claim 1, wherein said plurality of non-volumetric measuring indicia comprise at least two different types of non-volumetric measuring indicia.
31. (New) The syringe of claim 30, wherein said at least two different types of non-volumetric measuring indicia are selected from the group consisting of numeric indicia, age indicia, height indicia, weight indicia and color indicia.
32. (New) The syringe of claim 30, wherein said at least two different types of non-volumetric measuring indicia comprise two different color indicia.
33. (New) The syringe of claim 32, wherein said two different color indicia each

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represent a different fluid to be administered.

34. (New) A kit comprising a syringe comprising a syringe barrel having a plurality of non-volumetric measuring indicia thereon.

35. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia comprise numeric indicia.

36. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia comprise a plurality of color indicia.

37. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia comprise a plurality of weight indicia.

38. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia comprise a plurality of age indicia.

39. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia comprise a plurality of height indicia.

40. (New) The kit of claim 34, further comprising a means for adjusting the location of said plurality of non-volumetric measuring indicia with respect to said syringe barrel.

41. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia reflect a linear relationship between said plurality of non-volumetric measuring indicia and a fluid dosage to be dispensed.

42. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia reflect a non-linear relationship between said plurality of non-volumetric measuring indicia and a fluid dosage to be dispensed.

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43. (New) The kit of claim 34, further comprising at least one fluid or medication.
44. (New) The kit of claim 34, wherein said plurality of non-volumetric measuring indicia comprise at least two different types of non-volumetric measuring indicia.
45. (New) The kit of claim 44, wherein said at least two different types of non-volumetric measuring indicia are selected from the group consisting of numeric indicia, age indicia, height indicia, weight indicia and color indicia.
46. (New) The kit of claim 44, wherein said at least two different types of non-volumetric measuring indicia comprise two different color indicia.
47. (New) The syringe of claim 46, wherein said two different color indicia each represent a different fluid to be administered.

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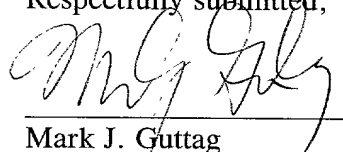
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**REMARKS**

Claims 1-7 and 28-47 are pending in the present application. Claims 8-27 have been cancelled and claims 28-47 have been added.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance, and favorable action is respectfully solicited.

Respectfully submitted,



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